

Time commenced – 6.00pm
Time finished – 7.20pm

**GENERAL LICENSING COMMITTEE
21 APRIL 2010**

Present: Councillor Redfern (Chair)
Councillors Baxter, Berry, Hird, Hussain, Jackson, Leeming,
Poulter, Rawson, Skelton, Tuplin, Williams and Winter

27/09 Apologies

Apologies for absence were received from Councillors Hussain, Skelton, Tuplin and Winter.

28/09 Late items introduced by the Chair

There were no late items.

29/09 Declarations of Interest

There were no declarations of interest.

**30/09 Confirmation of the Minutes of the General
Licensing Committee held on Wednesday 10
February 2010**

The minutes of the meetings held on 10 February 2010 were agreed as a correct record and signed by the Chair.

31/09 An update from Responsible Authorities

The Committee received a presentation from Derbyshire Constabulary and Derbyshire Fire and Rescue Service on an update of their service following the review of the Enforcement of the Council's Licensing Policy.

Members welcomed the presentation and thanked the officer for their hard work and attendance.

Resolved to note the presentations.

32/09 Licensing Enforcement Action Plan

The Committee considered a report from the Director of Environmental Services on the Licensing Enforcement Action Plan. It was reported that regular meetings were set up between all the agencies identified as responsible authorities under the licensing process, although it had been identified that more action was necessary. Subsequently, the aims and functions of the Responsible Authority Meetings (RAM) were reviewed and all partners agreed it would be beneficial to produce an action plan to help direct the group's work over the next year. A copy of the action plan was circulated to Members prior to the Committee meeting.

Resolved to note the report about the Licensing Enforcement Action Plan.

33/09 Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010

The Committee considered a report from the Director of Environmental Services on Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010. It was reported that the Government had announced five new mandatory licensing conditions that would be introduced through the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010. The statutory instrument was published with dates of implementation being the 6 April 2010 for all but paragraphs 4 and 5 which have a proposed implementation date of 1 October 2010.

Resolved to approve the proposed method of administering the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.

34/09 Personal Licence Holder training

The Committee considered a report from the Director of Environmental Services on Personal Licence Holder training. It was reported at a recent Sub Committee Members had raised concerns about the lack of experience that the proposed DPS had of working in the licensed trade and their apparent lack of understanding of the requirements and responsibilities under the Licensing Act 2003, even though they held a Personal licence. Members noted that the requirements to obtain a Personal Licence under the Licensing Act 2003 were the attendance and successful completion of a recognised accredited course for Personal Licence Holders and the production of a current criminal records check. On production of the correct documentation to the Licensing Authority, a Personal Licence had to be issued. Once an individual holds a Personal Licence, they can be specified as a DPS for the purpose of authorising the sale of alcohol.

It was proposed by Councillor Williams, seconded by Councillor Redfern, that full Council make representations on reviewing the minimum competency standard for aspiring Personal licence holders, to the Department of Culture, Media and Sports.

Resolved to ask Council to forward a representation to the Department of Culture, Media and Sport (DCMS) with regard to the requirements to obtain a Personal Licence and be appointed as a Designated Premises Supervisor (DSP) under the Licensing Act 2003.

MINUTES END